

9-17-12	PUBLIC WORKS BOARD PUBLIC WORKS TRUST FUND & BOARD PROGRAMS	DEPARTMENT OF HEALTH DRINKING WATER STATE REVOLVING FUND	DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT GENERAL PURPOSE	DEPARTMENT OF ECOLOGY CLEAN WATER STATE REVOLVING FUND	USDA RURAL DEVELOPMENT
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ENVIRONMENTAL REVIEW FOR PUBLIC WORKS PROJECTS					
Lead Agency	Authority delegated to local governments	EPA . Authority delegated to Health.	HUD. Authority delegated to local governments	EPA .	USDA RD.
Contact Info	Matt Ojennus (360) 725-4047 Matthew.ojennus@commerce.wa.gov	Aleceia Tilley (360) 236-3095 Aleceia.tilley@doh.wa.gov	Kaaren Roe (360) 725-3018 Kaaren.roe@commerce.wa.gov	Alice Rubin (360) 407-6429 Alice.rubin@ecy.wa.gov	Janice Roderick (360) 704-7739 Janice.roderick@wa.usda.gov
Type of Consultation	Local government leads	Formal consultation lead by DOH	Local government leads	Formal consultation lead by federal agencies	Local government provides information – consultation usually completed by agency.
Public Notification	As required by Department of Ecology in the SEPA process 14-day comment period (as required by SEPA) and public meeting. Environmental justice, floodplains, critical farmland, etc. cross-cutters may require additional publication.	DOH notifies borrower to begin public comment period, consisting of a one-time legal advertisement in local newspaper announcing the 30-day comment period.	If Categorically Excluded or Environmental Assessment, then: <ul style="list-style-type: none"> Request for Release of Funds - local 7/15 day comment period Finding of No Significant Impact - local 15 day comment period; Commerce 15 day comment period Additional notice(s) if affecting floodplain/wetlands	14-day comment period (as required by SEPA) and public meeting. Environmental justice, floodplains, critical farmland, etc. cross-cutters may require additional publication.	Determined by agency. If impact to important land resources or controversial project, preliminary public notice required and publishing of FONSI. Preliminary notice has 30 day comment period.
Authority	SEPA; SERP when a federal nexus occurs.	State Environmental Review Process (SERP), 40 CFR 35.3580.	NEPA – 24 CFR Part 58 SEPA.	State Environmental Review Process (SERP), with SEPA as an integrated component, federal cross cutters as outlined in 40 CFR 35.3140.	Regulation 7 CFR Part 1794 National Environmental Policy Act (NEPA)
Environmental Cross Cutters	Shoreline Management Act Growth Management Act Governor's Executive Orders Federal regulations as appropriate	National Environmental Policy Act National Historic Preservation Act Archeological and Historic Preservation Act Farmland Protection Policy Act Coastal Zone Management Act Coastal Barriers Resources Act Wild and Scenic Rivers Act Endangered Species Act Clean Air Act Safe Drinking Water Act	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Wetland Protection Executive Orders Wild and Scenic Rivers Act HUD Environmental Standards &	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Sustainable Fisheries Act Wetland Protection Executive Orders Wild and Scenic Rivers Act	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Sustainable Fisheries Act Wetland Protection Executive Orders Wild and Scenic Rivers Act/Water Quality Intergovernmental Review

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			Regulations <ul style="list-style-type: none"> Explosive and Flammable Operations Airport Clear Zones and Accident Potential Zones Noise Abatement and Control 		Sole Source Aquifer Also requires evidence of SEPA compliance
Client Submittal Requirements	Local determination	Agency works with applicant regarding the required documentation. The applicant is responsible for providing all documentation.	Applicant works with agency to determine level of NEPA, applicant responsible for providing documentation, including Request for Release of Funds & HUD Certification	SERP Packet with SERP Coversheet, Cross Cutter Report, timing of submittal depends on the phase of the project (see agency review).	Applicant works with agency to determine level of NEPA, applicant responsible for providing documentation
Agency Review	No review	After award and prior to release of construction funds	After award and prior to release of funds	Based on the phase of the project. Planning (Step 1): SERP during planning; Design (Step 2): SERP prior to application submittal; Construction Step 3): SERP prior to application and cross cutters prior to contract execution; Design/Construct (Step 4): SERP prior to application, Cross Cutters prior to construction. <i>Informal cross cutter review by Ecology can occur during planning and design phase, formal determinations from federal resource agencies does not occur until time indicated above.</i>	During funding application stage.
Determinations	Local determination	Issued by DOH	Local determination Exempt Categorical Exclusion <ul style="list-style-type: none"> No laws impacted Laws impacted Environmental Assessment	Determinations dictated by each federal cross cutter	Issued by USDA RD Categorical Exemption Categorical Exclusion requiring an Environmental Report Environmental Assessment

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Section 106/ Executive Order 05-50	GEO 05-05 must be completed prior to release of construction funds.	DOH is responsible for consultation with DAHP and Tribes.	Local government grantee is responsible for consultation with DAHP and Tribes under Section 106	Ecology is responsible for initial communication with tribes and DAHP, EPA leads formal consultation when needed.	USDA responsible for consultation with DAHP and Tribes under Section 106
Section 106 accepted in lieu of EO 05-05	Yes with evidence from recipient	N/A	N/A	N/A	N/A
Initiation Period	Prior to contracting	Begins after contract execution.	Once Commerce executes contract. Can be initiated earlier, but then environmental review costs cannot be covered by CDBG and must meet CDBG NEPA requirements if funded.	SERP: prior to design, Cross Cutters: prior to construction.	Prior to award of funds
Completion Period	Before first construction draw	Before actual construction and/or ground disturbance commence.	Before first draw, before advertising for bid, before acquisition	SERP: during the planning phase or prior to application, Cross Cutters: prior to contract execution or construction (for design/construct projects)	Prior to award of funds
Impact on Current Activities	N/A	N/A	Once CDBG application is submitted, cannot commit CDBG or non-CDBG funds if activity is choice-limiting, until Commerce's release of funds.	The municipality should consider planning early when Ecology loans are being considered as a funding option. SERP and cross cutters analysis should occur during the planning phase of the project.	Important to start on NEPA during the planning process to avoid limiting choices of alternatives and plan for mitigation if necessary.
Resource Links	http://pwb.wa.gov/ <u>Cultural Review Guidance:</u> http://pwb.wa.gov/culturalresource1.aspx?ActiveView=0	http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/WaterSystemAssistance/DrinkingWaterStateRevolvingFundDWSRF.aspx	CDBG Management Handbook, Section 6: www.commerce.wa.gov/site/808/default.aspx HUD NEPA webpage: www.hud.gov/local/shared/working/r10/environmental/washington.cfm?state=wa	http://www.ecy.wa.gov/programs/wq/funding/GrantLoanMgmtDocs/Eng/GrantLoanMgmtEngRes.html	http://www.rurdev.usda.gov/wa/publications.htm